

DAC \$  
# 3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
)  
James JOHNSON, *et al.* ) Group Art Unit: Not yet assigned  
)  
Serial No.: 09/840,080 ) Examiner: Not yet assigned  
)  
Filed: August 24, 2000 )

For: REMOTE VEHICLE EMISSIONS SENSING DEVICE WITH SINGLE  
DETECTOR

**ATTN: Box DAC**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**PETITION UNDER 37 C.F.R. § 1.47(b) TO COMPLETE FILING  
REQUIREMENTS WHEN AN INVENTOR REFUSES TO SIGN OR CANNOT  
BE REACHED**

12/20/2001 AKELLEY 00000007 500311 09840080

01 FC:122 Sir 130.00 CH  
02 FC:105 130.00 CH

This Petition Under 37 C.F.R. §1.47(b) To Complete Filing Requirements When An  
Inventor Refuses To Sign Or Cannot Be Reached is being filed in response to the Notice  
to File Missing Parts, mailed May 10, 2001. The following items are enclosed.

1. A petition fee of \$130;
2. Surcharge fee of \$130;
3. A Joint Declaration For Patent Application signed by Christopher Cuneo  
(Registration Number 42,450) and including the last known addresses of the  
inventors;
4. A Statement Of Facts In Support Of Filing On Behalf Of The Non-Signing  
Inventors including the affidavit of Mr. Niranjana Vescio indicating that the  
filing is necessary to preserve the rights of the parties;

11/14/2001 TGEDR:J1 00000011 09840080

01 FC:122

130.00 OP

RECEIVED  
NOV 16 2001  
OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

5. A Statement Establishing The Proprietary Interest of **Envirotest Systems Corporation** including the employee agreements signed by each inventor and indicating the inventor's obligation to assign the invention to **Envirotest Systems Corporation**.

**PETITION**

The named inventors in this application, JAMES H. JOHNSON and JOHN DIDOMENICO, have refused to execute the Oath or Declaration necessary to complete the filing. Therefore, **Envirotest Systems Corporation (ESC)**, the rightful owner of the entire right title and interest of the present application have filed this Petition in accordance with 37 C.F.R. § 1.47 and MPEP §§ 409.01-409.03(j).

Respectfully submitted,

Mintz Levin Cohn Ferris Glovsky and Popeo, PC

Dated: November 13, 2001

By: 

Christopher J. Cuneo  
Registration No. 42,450

Mintz Levin Cohn Ferris Glovsky and Popeo, PC  
11911 Freedom Drive, Suite 400  
Reston, VA 20190  
Telephone (703) 464-8159  
Facsimile (703) 464-4895

RES 56989v1